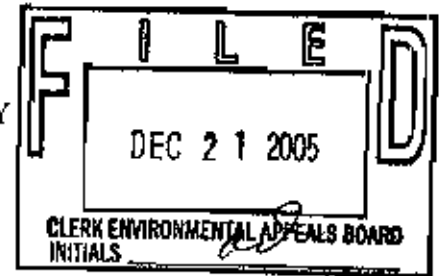


BEFORE THE ADMINISTRATOR
UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY



IN THE MATTER OF:

E. I. du Pont de Nemours
and Company

Wilmington, DE

Respondent

Washington Works Facility
Route 892 South DuPont Road
Washington, Wood County, WV

Docket No. TSCA-HQ-2004-0016
Docket No. RCRA-HQ-2004-0016
Docket No. TSCA-HQ-2005-5001

FINAL ORDER

Pursuant to Section 16 of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. §§ 2601 et seq., and Section 3008 of the Resource Conservation and Recovery Act ("RCRA"), as amended by the Hazardous and Solid Waste Amendments ("HSWA"), 42 U.S.C. §§ 6901 et seq., it is hereby ORDERED THAT:

1. Respondent shall comply with all of the terms of the Consent Agreement, incorporated herein by reference, including the terms of the Consent Agreement relating to performance of the SEPs attached to and incorporated in the Consent Agreement;

2. Nothing in the Consent Agreement relieves Respondent from complying with the requirements set forth in TSCA and RCRA and the regulations thereunder;

3. Respondent is assessed a civil penalty in the sum of (Ten Million Two Hundred Fifty Thousand Dollars (\$10,250,000));

4. Respondent shall, within thirty (30) days of the effective date of this Order, forward a certified or cashier's check, payable to the order of the "Treasurer of the United States of America", in the amount of \$ 10,250,000 to:

EPA-Washington

(Hearing Clerk)

Docket No. Docket No. TSCA-HQ-2004-0016, RCRA-HQ-2004-0016,
TSCA-HQ-2005-5001

P.O. Box 360277

Pittsburgh, PA 15251-6277

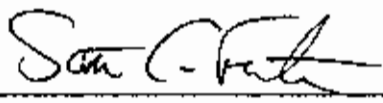
1 or an electronic payment of \$ 10,250,000 by wire transfer as instructed in this agreement.
2 The check or wire transfer shall bear the notation "DuPont, Civil Penalty Docket Nos. TSCA-
3 HQ-2004-0016, RCRA-HQ-2004-0016, TSCA-HQ-2005-5001."

4 5. Failure to remit the civil penalty in Paragraph 3, above, in accordance with this Order
5 will constitute a breach of this Order and will cause Respondent to become subject to the
6 stipulated penalty of five thousand dollars (\$5,000) per diem immediately, plus interest as
7 allowed by law, and without further proceedings.

8 IT IS SO ORDERED.
9

10 Environmental Appeals Board
11

12 Date 12/21/05
13
14
15


Environmental Appeals Judge
U.S. Environmental Protection Agency

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Final Order in the matter E.I. du Pont de Nemours and Company, Docket Nos. TSCA-HQ-2004-0016, RCRA-HQ-2004-0016, and TSCA-HQ-2005-5001, were sent to the following persons in the manner indicated:

By First Class Mail

Return receipt Requested:

Stacey J. Mobley
Sr. Vice President and General Counsel
E. I. du Pont de Nemours and Co.
1007 Market St.
Room D-7038
Wilmington, Delaware 19898

Peter D. Robertson
Duane Siler
Patton Boggs, LLP
2550 M Street, NW
Washington, D.C. 20037

By Interoffice Mail:

Walker B. Smith, Director (2241A)
Office of Civil Enforcement

Mark Garvey (2245A)
Toxics and Pesticide Enforcement Division
Office of Civil Enforcement

Ilana S. Saltzbart (2245A)
Toxics and Pesticide Enforcement Division
Office of Civil Enforcement

Date: DEC 21 2005



Annette Duncan
Secretary